FILED

State of Alabama Unified Judicial System Form C-34 Rev. 4/2017

### SUMMONS - CIVIL -

Court Case Number J.S. DISTRICT COURT N.D. OF ALABAMA 63-CV-2017-900914.00

|  | UIT COURT OF TUSCALOOSA COUNT                                 | •                         |  |  |  |  |
|--|---|---------------------------|--|--|--|--|
| WILLIAM GRANT BALL V. RICHARD BENOIT ET AL   |   |                           |  |  |  |  |
| NOTICE TO: RICHARD BENOIT, 40 MAYBELL ROAD, SEMINARY, MS 39479   |   |                           |  |  |  |  |
|  | (Name and Address of Defendan                                 | nt)                       |  |  |  |  |
| THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), BOBBY HILL COCKRELL JR. |   |                           |  |  |  |  |
|  | [Name(s) of Attorney(s)]                                      |                           |  |  |  |  |
| WHOSE ADDRESS(ES) IS/ARE: 1409 U   | NIVERSITY BOULEVARD, TUSCALOOSA, A                            |                           |  |  |  |  |
| [Address(es) of Plaintiff(s) or Attorney(s)]  THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.  |   |                           |  |  |  |  |
| TO ANY SHERIFF OR AN   | NY PERSON AUTHORIZED BY THE AL<br>PROCEDURE TO SERVE PROCESS: |                           |  |  |  |  |
| ☐ You are hereby commanded to se   | rve this Summons and a copy of the Cor                        |                           |  |  |  |  |
| this action upon the above-named   |   |                           |  |  |  |  |
| •  | mmons is initiated upon the written reque                     | est of WILLIAM GRANT BALL |  |  |  |  |
| pursuant to the Alabama Rules of   | ·   | [Name(s)]                 |  |  |  |  |
| 7/29/2017 6:07:34 PM   | /s/ MAGARIA HAMNER BO   | OBO By:                   |  |  |  |  |
| (Date)   | (Signature of Clerk)  | (Name)                    |  |  |  |  |
| ✓ Certified Mail is hereby requested. /s/ BOBBY HILL COCKRELL JR.  |   |                           |  |  |  |  |
| commod Man is nereby requested.  | (Plaintiff's/Attorney's Signature                             |                           |  |  |  |  |
|  | DETUDN ON SERVICE   |                           |  |  |  |  |
| _  | RETURN ON SERVICE   |                           |  |  |  |  |
| Return receipt of certified mail receipt   | eived in this office on                                       |                           |  |  |  |  |
| (Date)   |   |                           |  |  |  |  |
| ☐ I certify that I personally delivered  | a copy of this Summons and Complaint                          |                           |  |  |  |  |
|  | in  | County,                   |  |  |  |  |
| (Name of Person Served)  | (Na   | ame of County)            |  |  |  |  |
| Alabama on   |   |                           |  |  |  |  |
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State of Alabama
Unified Judicial System
Form C-34 Rev. 4/2017

### SUMMONS - CIVIL -

**Court Case Number** 63-CV-2017-900914.00

| Form C-34 Rev. 4/2017  |                     | - CIVIL -               |                    |                              |  |  |  |
|--|---------------------|-------------------------|--------------------|------------------------------|--|--|--|
| IN THE CIRCUIT COURT OF TUSCALOOSA COUNTY, ALABAMA   |                     |                         |                    |                              |  |  |  |
| WILLIAM GRANT BALL V. RICHARD BENOIT ET AL   |                     |                         |                    |                              |  |  |  |
| NOTICE TO: WAYNE JEFCOAT, 214 WAREHOUSE DRIVE, LAUREL, MS 39480  |                     |                         |                    |                              |  |  |  |
|  |                     | (Name and Addre         | ss of Defendant    | t)                           |  |  |  |
| THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), BOBBY HILL COCKRELL JR. |                     |                         |                    |                              |  |  |  |
|  |                     | [Name(s) of Attorney(s  | s)]                |                              |  |  |  |
| WHOSE ADDRESS(ES) IS/A   | RE: 1409 UNIVERS    |                         |                    |                              |  |  |  |
|  |                     |                         | s) of Plaintiff(s) | • • • •                      |  |  |  |
| THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.  |                     |                         |                    |                              |  |  |  |
| TO ANY SHER  |                     | SON AUTHORIZED SERVE    |                    | ABAMA RULES OF CIVIL         |  |  |  |
| ☐ You are hereby comma   | nded to serve this  | Summons and a cop       | y of the Com       | nplaint or other document in |  |  |  |
| this action upon the abo   | ove-named Defend    | dant.                   |                    |                              |  |  |  |
| Service by certified mail  | of this Summons     | is initiated upon the v | written reque      | est of WILLIAM GRANT BALL    |  |  |  |
| pursuant to the Alabama Rules of the Civil Procedure.  [Name(s)]   |                     |                         |                    |                              |  |  |  |
| 7/29/2017 6:07:34  | PM                  | /s/ MAGARIA I           |                    | <del></del> '                |  |  |  |
| (Date) (Signature of Clerk) (Name)   |                     |                         |                    |                              |  |  |  |
| ✓ Certified Mail is hereby requested.  /s/ BOBBY HILL COCKRELL JR.  (Plaintiff's/Attorney's Signature)   |                     |                         |                    |                              |  |  |  |
|  | F                   | RETURN ON SER           | VICE               |                              |  |  |  |
| Return receipt of certifie   | ed mail received in | this office on          |                    |                              |  |  |  |
| ·  |                     |                         |                    | (Date)                       |  |  |  |
| ☐ I certify that I personally  | delivered a copy    | of this Summons and     | Complaint of       | or other document to         |  |  |  |
|  |                     | in                      |                    | County,                      |  |  |  |
| (Name of Pe  | rson Served)        |                         | (Na                | ame of County)               |  |  |  |
| Alabama on   |                     | <u> </u> .              |                    |                              |  |  |  |
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State of Alabama
Unified Judicial System
Form C-34 Rev. 4/2017

### SUMMONS - CIVIL -

**Court Case Number** 63-CV-2017-900914.00

| Form C-34 Rev. 4/2017  | -                     | CIVIL -                           |  |                     |       |  |  |
|--|-----------------------|-----------------------------------|--|---------------------|-------|--|--|
| IN THE CIRCUIT COURT OF TUSCALOOSA COUNTY, ALABAMA WILLIAM GRANT BALL V. RICHARD BENOIT ET AL  |                       |                                   |  |                     |       |  |  |
| NOTICE TO: EAGLE EXPRESS HOTSHOT SERVICE L.L.C., 214 WAREHOUSE DRIVE, LAUREL, MS 39480   |                       |                                   |  |                     |       |  |  |
|  |                       | (Name and Address of              | Defendant)                                   |                     |       |  |  |
| THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S), BOBBY HILL COCKRELL JR. |                       |                                   |  |                     |       |  |  |
|  |                       | [Name(s) of Attorney(s)]          |  |                     |       |  |  |
| WHOSE ADDRESS(ES) IS/A   | RE: 1409 UNIVERSITY   |                                   |  |                     |       |  |  |
|  |                       | [Address(es) of                   | Plaintiff(s) or Attorne                      | ey(s)]              |       |  |  |
| THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT.  |                       |                                   |  |                     |       |  |  |
| TO ANY SHER  |                       | N AUTHORIZED BY DURE TO SERVE PRO |  | RULES OF CIVIL      |       |  |  |
| You are hereby commanded to serve this Summons and a copy of the Complaint or other document in  |                       |                                   |  |                     |       |  |  |
| this action upon the abo   | ve-named Defendan     | t.                                |  |                     |       |  |  |
| Service by certified mai   | of this Summons is i  | nitiated upon the writte          | en request of W                              | ILLIAM GRANT BALL   |       |  |  |
| pursuant to the Alabama Rules of the Civil Procedure.  [Name(s)]   |                       |                                   |  |                     |       |  |  |
| 7/29/2017 6:07:34  | PM                    | /s/ MAGARIA HAN                   |  | By:                 |       |  |  |
| (Date)   |                       | (Signature of                     | Clerk)                                       | (Name)              |       |  |  |
| ✓ Certified Mail is hereby requested.  /s/ BOBBY HILL COCKRELL JR.  (Plaintiff's/Attorney's Signature)   |                       |                                   |  |                     |       |  |  |
|  | RF.                   | TURN ON SERVIC                    | <br>:F                                       |                     |       |  |  |
| ☐ Return receipt of certifie   |                       |                                   | <b>,                                    </b> |                     |       |  |  |
| (Date)   |                       |                                   |  |                     |       |  |  |
| I certify that I personally  | delivered a copy of t | his Summons and Co                | mplaint or other                             | document to         |       |  |  |
|  |                       | in                                |  |                     | unty, |  |  |
| (Name of Pe  | rson Served)          |                                   | (Name of Co                                  | unty)               |       |  |  |
| Alabama on   |                       |                                   |  |                     |       |  |  |
|  | (Date)                |                                   |  |                     |       |  |  |
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Case 7:17-cv-01442-LSC Document 1-2 Filed 08/25/17

ELECTRONICALLY FILED
Page 4 929/2017 6:07 PM
63-CV-2017-900914.00
CIRCUIT COURT OF
TUSCALOOSA COUNTY, ALABAMA
MAGARIA HAMNER BOBO, CLERK

### IN THE CIRCUIT COURT OF TUSCALOOSA COUN.

| WILLIAM GRANT BALL,  | )                   |
|--|---------------------|
| Plaintiff,   | )                   |
| V.   | ) CASE NO.: CV-2017 |
| RICHARD BENOIT; EAGLE EXPRESS HOTSHOT SERVICE L.L.C., a Limited Liability Company existing under the laws of the State of Mississippi; WAYNE JEFCOAT; and Fictitious Defendants A, B, C, D and E being those individuals and/or entities who committed or conspired with the defendants to commit the wrongful acts set forth hereinafter, and whose identities are unknown but will be added as defendants when ascertained,  Defendants. | ý<br>)              |
|  |                     |

### **COMPLAINT**

COMES NOW the Plaintiff, WILLIAM GRANT BALL, by and through his attorneys of record, Bobby H. Cockrell, Jr. and Jonathan D. Townsend, and would complain of the Defendant as follows:

### **PARTIES**

- 1. Plaintiff, William Grant Ball, is a resident citizen of Tuscaloosa County, Alabama and is over the age of nineteen years.
- 2. Defendant, Richard Benoit, is a resident citizen of Mississippi and is over the age of nineteen years. At the time of this motor vehicle accident giving rise to this complaint, Defendant Benoit was employed by and driving for the following entity described in paragraph 3.

- 3. Defendant Corporation, EAGLE EXPRESS HOTSHOT SERVICE L.L.C., a Limited Liability Company organized and operating under the laws of the State of Mississippi but doing business in Brookwood, Tuscaloosa County, Alabama.
- 4. Defendant, Wayne Jefcoat, is a resident citizen of Mississippi and is over the age of nineteen years. Defendant Jefcoat owned the vehicle and attachments giving rise to this action. Defendant Jefcoat is also the President of Defendant Corporation, EAGLE EXPRESS HOTSHOT SERVICE L.L.C., a Limited Liability Company organized and operating under the laws of the State of Mississippi but doing business in Brookwood, Tuscaloosa County, Alabama.
- 5. Fictitious Defendants A, B, C, D and E are those individuals, general partnerships, governmental entities, agencies, departments, limited partnerships, corporations or other legal entities who supervised, controlled, were responsible under the doctrine of respondent superior, or were in any legal sense responsible for the actions of the name Defendant herein, any and all of its successors in interest, owners, partners or any other entity by which the said Defendant is now known or has been known at any time relevant hereto, whether acting on their own behalf or as an agent of any other person. Their identities are unknown but will be added by amendment when ascertained.

### **VENUE & JURISDICTION**

- 6. Venue exists in this Circuit because the Plaintiffs are resident citizens of Tuscaloosa County; because the motor vehicle accident giving rise to this action occurred in Tuscaloosa County, Alabama.
- 7. Jurisdiction exists in Alabama owed to the presence of the various Defendants in Alabama; because the fact that the tortious actions alleged herein this Complaint occurred within this state; because the Defendants performed various services within the State of

Alabama; and, therefore said Defendants availed themselves to the degree necessary to obtain personal jurisdiction over each and every one of the various Defendants.

8. The amount in controversy in this action exceeds ten-thousand dollars and no cents (\$10,000.00).

### **FACTS**

- 9. On or about the July 20, 2017, Plaintiff, was lawfully operating a motor vehicle on County Road 59 North in Tuscaloosa County, Alabama, to wit, when Defendant Benoit, operating a motor vehicle as an agent for the Defendants, caused or allowed the motor vehicle he was driving to collide with the motor vehicle driven by the Plaintiff.
- 10. Specifically, Defendant Benoit operated the motor vehicle as an agent and/or employee for the Defendants, within the line and scope of his employment, pulled his truck to the side of the highway leaving an attached "gooseneck" trailer in the travel lane.
- 11. Defendants' vehicle was position just passed a "blind curve" and on a hillcrest in the roadway. The Defendants' vehicle was not visible based on his parked position in the travel lane.
- 12. Plaintiff traveled in said lane and dreadfully collided with the Defendants' hidden vehicle and attached trailer.
  - 13. Plaintiff was seriously injured by the Defendants' actions.

### **COUNT 1 - NEGLIGENCE**

- 14. Plaintiff hereby incorporates paragraph 1 through 13 above as if fully set out herein.
- 15. On or about the July 20, 2017, Plaintiff, was lawfully operating a motor vehicle on County Road 59 North in Tuscaloosa County, Alabama, to wit, when Defendant Benoit, operating a motor vehicle as an agent for the Defendants, negligently caused or

allowed the motor vehicle he was driving to collide with the motor vehicle driven by the Plaintiff.

- 16. As a direct result of Defendant's said negligence, Plaintiff was caused to suffer the following damages:
  - a. Plaintiff, as a proximate result of Defendant's said conduct, was caused to incur medical expenses including but not limited to medication, physicians' fees and hospital charges.
  - b. Plaintiff, as a proximate result of Defendant's said conduct, was caused pain and suffering from the said injuries caused by the Defendant.
  - c. Plaintiff suffered mental anguish and emotional distress from the said injuries caused by the Defendant.
  - d. Plaintiff's vehicle was bent, battered and rendered less in value.

WHEREFORE, Plaintiff demands judgment against Defendant in an amount to be determined by a jury, plus interest and costs.

### COUNT 2 – WANTONNESS

- 17. Plaintiff hereby incorporates paragraph 1 and 16 above as if fully set out herein.
- 18. On or about the July 20, 2017, Plaintiff, was lawfully operating a motor vehicle on County Road 59 North in Tuscaloosa County, Alabama, to wit, when Defendant Benoit, operating a motor vehicle as an agent for the Defendants, wantonly caused or allowed the motor vehicle he was driving to collide with the motor vehicle driven by the Plaintiff.

- 19. As a direct result of Defendant's said wantonness, Plaintiff was caused to suffer the following damages:
  - a. Plaintiff, as a proximate result of Defendant's said conduct was caused to incur expenses for medicine and physicians' fees and hospital charges.
  - b. Plaintiff, as a proximate result of Defendant's said conduct, was caused pain and suffering from the said injuries caused by the Defendant.
  - Plaintiff suffered mental anguish and emotional distress from the said injuries caused by the Defendant.
  - d. Plaintiff's vehicle was bent, battered and rendered less in value.
- 20. Plaintiff demands punitive damages of the Defendant due to the wanton and reckless nature of the Defendant's conduct.

WHEREFORE, Plaintiff demands judgment against Defendant in an amount to be determined by a jury, plus interest and costs.

### COUNT 3 – NEGLIGENT HIRING, TRAINING & SUPERVISION

- 21. Plaintiff hereby incorporates paragraph 1 and 20 above as if fully set out herein.
- 22. On or before July 20, 2017, Defendants negligently hired, trained and supervised the Defendant.
- 23. On or about the July 20, 2017, Plaintiff, was lawfully operating a motor vehicle on County Road 59 North in Tuscaloosa County, Alabama, to wit, when Defendant Benoit, operating a motor vehicle as an agent for the Defendants, negligently and wantonly caused or allowed the motor vehicle he was driving to collide with the motor vehicle driven by the Plaintiff.

- 24. As a direct result of Defendant's said negligent hiring, training and supervision, Plaintiff was caused to suffer the following damages:
  - a. Plaintiff, as a proximate result of Defendant's said conduct was caused to incur expenses for medicine and physicians' fees and hospital charges.
  - b. Plaintiff, as a proximate result of Defendant's said conduct, was caused pain and suffering from the said injuries caused by the Defendant.
  - Plaintiff suffered mental anguish and emotional distress from the said injuries caused by the Defendant.
  - d. Plaintiff's vehicle was bent, battered and rendered less in value.
- 25. Plaintiff demands punitive damages of the Defendant due to its negligent hiring, training, and supervision.

WHEREFORE, Plaintiff demands judgment against Defendant in an amount to be determined by a jury, plus interest and costs.

### COUNT 4 – JOINT VENTURE LIABILITY

- 26. Plaintiff hereby incorporates paragraph 1 and 26 above as if fully set out herein.
- 27. On or before July 20, 2017, Defendants entered into a joint venture with Fictitious Defendants A, B, C, D, and E. Said Defendants enjoyed a community of interest and equal right to control the venture. Defendants as joint venture participants are responsible for the harm caused motor vehicle accident occurred.
- 28. On or about the July 20, 2017, Plaintiff, was lawfully operating a motor vehicle on County Road 59 North in Tuscaloosa County, Alabama, to wit, when Defendant Benoit, operating a motor vehicle as an agent for the Defendants, negligently and wantonly

caused or allowed the motor vehicle he was driving to collide with the motor vehicle driven by the Plaintiff.

- 29. As a direct result of Defendant's said joint venture, negligence and wantonness, Plaintiff was caused to suffer the following damages:
  - a. Plaintiff, as a proximate result of Defendant's said conduct was caused to incur expenses for medicine and physicians' fees and hospital charges.
  - b. Plaintiff, as a proximate result of Defendant's said conduct, was caused pain and suffering from the said injuries caused by the Defendant.
  - c. Plaintiff suffered mental anguish and emotional distress from the said injuries caused by the Defendant.
  - d. Plaintiff's vehicle was bent, battered and rendered less in value.
- 30. Plaintiff demands punitive damages of the Defendant due to the negligent and wanton nature of the Defendant's conduct in this joint venture.

WHEREFORE, Plaintiff demands judgment against Defendant in an amount to be determined by a jury, plus interest and costs.

Respectfully submitted, this Saturday, July 29, 2017

Erika Lynn Watkins as Attorney-In-Fact for

William Grant Ball, Plaintiff

/s/ Bobby H. Cockrell, Jr.

Bobby H. Cockrell, Jr.(COC008)

Cockrell, Cockrell & Townsend

Attorney for Plaintiff

1409 University Boulevard

Tuscaloosa, AL 35401

(205) 349-2009

/s/ Jonathan D. Townsend
Jonathan D. Townsend (TOW014)
Cockrell, Cockrell & Townsend
Attorney for Plaintiff
1409 University Boulevard
Tuscaloosa, AL 35401
(205) 349-2009

### PLAINTIFF HEREBY DEMANDS TRIAL BY JURY.

/s/ Bobby H. Cockrell, Jr.
Bobby. H. Cockrell, Jr. (COC008)

/s/ Jonathan D. Townsend
Jonathan D. Townsend (TOW014)

OF COUNSEL: Cockrell, Cockrell & Townsend Attorney for Plaintiff 1409 University Boulevard Tuscaloosa, AL 35401 (205) 349-2009

Case 7:17-cv-01442-LSC Document 1-2 Filed 08/25/17 Page 12 of 22

STATE OF ALABAMA )
TUSCALOOSA COUNTY )

I, the undersigned authority, a Notary Public, in and for said county and said state, hereby certify that William Grant Ball whose name is signed to the foregoing document, and who is known to me, acknowledged before me on this day, being informed of the contents of same, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this Saturday, July 29, 2017.

Notary Publ

### **CERTIFICATE OF SERVICE**

This is to certify that I have this day served a copy of the foregoing on the opposing party via electronic service or by U.S. Mail, via certified mail, return service requested, postage prepaid and properly addressed.

This Saturday, July 29, 2017.

/s/ Bobby H. Cockrell, Jr.
Bobby. H. Cockrell, Jr. (COC008)

/s/ Jonathan D. Townsend
Jonathan D. Townsend (TOW014)

cc: Richard Benoit
40 Maybell Road
Seminary, Mississippi 39479

EAGLE EXPRESS HOTSHOT SERVICE L.L.C. 214 Warehouse Drive Laurel, Mississippi 39480

Wayne Jefcoat 214 Warehouse Drive Laurel, Mississippi 39480 State of Alabama
Unified Judicial System
Form C-34 Rev. 4/2017

### SUMMONS - CIVIL -

Court Case Number 63-CV-2017-900914.00

| orm C-34 Rev. 4/2017   | -  |                            | VIL =  |  |  |   |   |
|--|--|----------------------------|--|--|--|---|---|
| IN   | THE CIRCUIT COUR   | ΤO                         | F TUSCA  | LOOSA C  | OUNTY, ALA                               | ABAMA   |   |
| ***  | WILLIAM GRAN   | ΓB                         | ALL V. RI  | CHARD BI   | ENOIT ET AL                              | <u>L</u> .  |   |
| NOTICE TO: EAGLE EXPRES  | S HOTSHOT SERVICE L.L.C.   | 214                        | WAREHOUSE  | E DRIVE, LAUF                                    | REL, MS 39480                            |   | ,   |
| 4114   |  |                            |  | Address of De                                    |  |   |   |
| THE COMPLAINT OR OTH   | ER DOCUMENT WHICH  | ı ıs                       | ATTACHE  | D TO THIS  | SUMMONS I                                | S IMPORTANT, ANI  | TRUM UOY C  |
| TAKE IMMEDIATE ACTION ORIGINAL OF YOUR WRITT OTHER DOCUMENT, WITH DELIVERED BY YOU OR YOU OBY HILL COCKRELL JE   | I TO PROTECT YOUR<br>FEN ANSWER, EITHER<br>I THE CLERK OF THI<br>DUR ATTORNEY TO TH  | RIC<br>ADI<br>S CO<br>HE P | SHTS. YOU<br>MITTING C<br>OURT. A C<br>LAINTIFF( | J OR YOU<br>OR DENYIN<br>COPY OF Y<br>S) OR ATTO | R ATTORNEY<br>G EACH ALLE<br>'OUR ANSWE  | ( ARE REQUIRED<br>EGATION IN THE CO<br>ER MUST BE MAILE     | MPLAINT OR  |
|  |  | [Nan                       | ne(s) of Atto                                    | mey(s)]  |  |   |   |
| WHOSE ADDRESS(ES) IS/  | ARE: 1409 UNIVERSITY   | BO                         | ULEVARD  | TUSCALO  | OSA, AL 3540<br>aintiff(s) or Atton      | nev(s))   | <b>`</b>  |
| THE ANSWER MUST BE   | MAILED OR DELIVER  | ED '                       | •  |  | - *                                      |   | MPLAINT OR  |
| OTHER DOCUMENT WERE<br>THE MONEY OR OTHER TH   | SERVED ON YOU OF   | RA.                        | JUDGMEN<br>COMPLAI                               | T BY DEFA<br>NT OR OTH                           | ULT MAY BE<br>IEB DOCUME                 | RENDERED AGAIN  | ST YOU FOR  |
| TO ANY SHEE  | RIFF OR ANY PERS   |                            | CERT   | stal Serv<br>IFIED M                             | ice <sup>™</sup><br>AIL <sup>®</sup> REC | EIPT  |   |
| You are hereby comma   | anded to serve this S  | ᇤ                          | Domestic   | Mail Only_                                       |  |   |   |
| this action upon the ab  |  |                            | For deliver                                      | / information,                                   | visit our website                        | at www.usps.com®.   | •   |
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State of Alabama Unified Judicial System Form C-34 Rev. 4/2017

### SUMMONS - CIVIL -

Court Case Number 63-CV-2017-900914.00

|   | T COURT OF TUSCALOOSA CO<br>I GRANT BALL V. RICHARD BE   |  |   |
|---|--|--|---|
| NOTICE TO: WAYNE JEFCOAT, 214 WAREHOL   | ISE DRIVE, LAUREL, MS 39480  |  |   |
|   | (Name and Address of Def   | endant)  | 10 - 10 - 10 - 10 - 10 - 10 - 10 - 10 -                         |
| THE COMPLAINT OR OTHER DOCUMENTAKE IMMEDIATE ACTION TO PROTECT ORIGINAL OF YOUR WRITTEN ANSWER OTHER DOCUMENT, WITH THE CLERK DELIVERED BY YOU OR YOUR ATTORNIOUS HILL COCKRELL JR. | T YOUR RIGHTS, YOU OR YOUR, EITHER ADMITTING OR DENYING<br>OF THIS COURT, A COPY OF YO<br>EY TO THE PLAINTIFF(S) OR ATTO | ATTORNEY ARE RE<br>EACH ALLEGATION I<br>OUR ANSWER MUST  | EQUIRED TO FILE THE<br>IN THE COMPLAINT OR<br>BE MAILED OR HAND |
|   | [Name(s) of Attorney(s)]   |  |   |
| WHOSE ADDRESS(ES) IS/ARE: 1409 UNI  | VERSITY BOULEVARD, TUSCALOC  | SA, AL 35401   | N   |
| THE ANSWER MUST BE MAILED O<br>OTHER DOCUMENT WERE SERVED IT<br>THE MONEY OR OTHER THINGS DEN   | U.S. Postal Service <sup>™</sup><br>CERTIFIED MAIL <sup>®</sup> REC<br>Domestic Mail Only                                | 10-417   | AND COMPLAINT OR<br>COMPLAINT OR                                |
| TO ANY SHERIFF OR A   | For delivery information, visit our website  | at www.usps.com*.  | OF CIVIL  |
| You are hereby commanded to s this action upon the above-name   | \$ Extra Services & Fees (check box, add fee as appropriate)  Return Receipt (hardcopy)                                  |  | cument in   |
| Service by certified mail of this S   | Return Receipt (electronic) \$  Certified Mail Restricted Delivery \$  | Postmark<br>Here   | RANT BALL   |
| pursuant to the Alabama Rules c 🖽   |  |  | [Name(s)]   |
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|   |  | (Date)   | (A)                         |
| I certify that I personally delivered a   | copy of this Summons and Comp  | laint or other docume  | ent to  |
|   | in   |  | County,   |
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| WILLIA  | M GRANT BALL V. RICHARD BENC   | ALCEAL   |   |
| C001 - WILLIAM GRANT BAL  | <u> </u>   | D002 - WAYNE JE  | FÇOAT   |
| (Plaintiff)   |  | (Defendant)  |   |
|   |  |  |   |

**SERVICE RETURN COPY** 

Case 7:17-cv-01442-LSC Document 1-2 Filed 08/25/17 Page 16 of 22 Court Case Number State of Alabama SUMMONS 63-CV-2017-900914.00 Unified Judicial System - CIVIL -Form C-34 Rev. 4/2017 IN THE CIRCUIT COURT OF TUSCALOOSA COUNTY, ALABAMA WILLIAM GRANT BALL V. RICHARD BENOIT ET AL NOTICE TO: RICHARD BENOIT, 40 MAYBELL ROAD, SEMINARY, MS 39479 (Name and Address of Defendant) THE COMPLAINT OR OTHER DOCUMENT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT, AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT OR OTHER DOCUMENT, WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF(S) OR ATTORNEY(S) OF THE PLAINTIFF(S). BOBBY HILL COCKRELL JR. [Name(s) of Attorney(s)] WHOSE ADDRESS(ES) IS/ARE: 1409 UNIVERSITY BOULEVARD, TUSCALOOSA, AL 35401 [Address(cs) of Plaintiff(s) or Attorney(s)] THE ANSWER MUST BE MAILED OR DELIVERED WITHIN 30 DAYS AFTER THIS SUMMONS AND COMPLAINT OR OTHER DOCUMENT WERE SERVED ON YOU OR A JUDGMENT BY DEFAULT MAY BE RENDERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT OR OTHER DOCUMENT. TO ANY SHERIFF OR ANY PERSON AUTHORIZED BY THE ALABAMA RULES OF CIVIL PROCEDURE TO SERVE PROCESS: You are hereby commanded to serve this Summons and a copy of the Complaint or other document in this action upon the above-named Defendant. U.S. Postal Service™ Service by certified mail of this Summons is initi CERTIFIED MAIL® RECEIPT pursuant to the Alabama Rules of the Civil Proc ru 7/29/2017 6:07:34 PM (Date) Certified Mail is hereby requested. Certified Mail Fee Extra Services & Fees (check box, add fee as appropriate Return Receipt (hardcopy) Return Receipt (electronic) Postmark Certified Mail Restricted Delivery Here Return receipt of certified mail received in this c Adult Glanature Flequired Adult Signature Restricted Delivery I certify that I personally delivered a copy of this ounty. Sent To (Name of Person Served) Street and Apt. No., or PO Box No. Alabama on (Date) (Server's Signature) (Type of Process Server) (Server's Printed Name) (Phone Number of Server) 63-CV-2017-900914.00 WILLIAM GRANT BALL V. RICHARD BENOIT ET AL

C001 - WILLIAM GRANT BALL
(Plaintiff)

٧.

D001 - RICHARD BENOIT

(Defendant)



SERVICE RETURN COPY

USPS TRACKING#

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First-Class Mail

Permit No. G-10

Sender: Please print your name,

and ZP+4® in this box\*

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ĘXHIBIT B

- Priority Mail Express®
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PS Form 3811, July 2015 PSN 7530-02-000-9053

Article Number (Transfer from service label)

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Case 7:17-cv-01442-LSC Document 1-2

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